IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE JURISDICTION

Writ Petition No.844l of 2005

Kanyalal C Jaisinghani... Petitioner

vs

Chuharlal C Jaisinghani & ors...Respodents

Mr K.C.Jaisinghani petitioner in person

CORAM: S.U.KAMDAR J.

Dated 13.l2.2005

P.C:

l. The present petition is challenging the order passed on Exh 92l dated 2l.ll.2005 as well as order passed on Exh 99l dated 24.ll.2005. The present petition is thoroughly frivolous and abuse of process of law. The present application is filed inter alia seeking that no decree should be passed against him and there is no proper description of the property in the plaint. The trial court has in its order itself stated that already l0 witnesses are examined and the matter is kept for final hearing. With a view to prevent the further proceedings which is going on in accordance with

law, applications are preferred by the petitioner before the trial court. Even on application Exh 99l the trial court has observed that the matter may be argued at the time of final hearing pertaining to the documents in the pleadings. The court cannot be prevented from deciding the matter in accordance with law by way of taking out such kind of applications. I do not find any infirmity with the order impugned and the finding does not require interference in writ jurisdiction under Art 227 of the Constitution. However, the issue has to be tried after evidence is concluded and not by way of interim application. In that view of the matter petition is dismissed. The petitioner who is appearing in person states that he will not file any such applications hereafter. In that light of the matter I refrain from passing any order as to costs and direct the Jt Civil Judge J D Pimpri to decide the suit no.332 of 2000 expeditiously and in any event on or before 28.2.2006

. Petition is accordingly disposed of with no order as to costs.